

IN THE COURT OF THE PRL., SENIOR CIVIL JUDGE
AND CJM, RAMANAGARA

O S 321/2010

PLAINTIFF :- Smt.Parvathamma and others

V/s

DEFENDANTS:- Sri. Krishnappa and others

Issues

1. Whether the plaintiffs prove that the plaint schedule 'A' to 'C' properties are the ancestral and self acquired properties of the original propositor of themselves and the defendants No.1 to 23 late.Chikkadase gowda as on the date of suit and are available for partition?
2. Whether the plaintiffs prove that the sale transactions made mention off in the body of the plaint and the prayer column are not binding on their shares in the plaint schedule properties?
3. Whether the defendants No.1, 2, 3, 5, 6 and 16, 21 and 22 prove that their respective father's namely late.C.Chaluvaiah and

Dasappa @ Bodadasappa acquired the properties under a division between them and their brother Chanappa (father of plaintiffs 2 to 4 and husband of plaintiff No.1) long back as pleaded at paragraph No.15 and 21 of their respective written statement?

4. Whether the defendants No.1, 2, 3, 5, 6, 16, 21 and 23 further prove that, the husband of 1st plaintiff and father of other plaintiffs namely late.Chanappa sold away all the properties fallen to his share and therefore question of giving partition to the plaintiffs once again does not arise?
5. Whether the defendants No.1, 2, 3, 5, 6, 16, 21 and 23 further prove that, they acquired some of the properties individually after partition between themselves as pleaded at paragraph No.15 and 21 of their respective written statement?
6. Whether the defendants No.48 and 49 prove that, the father of defendant No.48 and

grand father of defendant No.49 Sri.Dasappa @ Kariyappa is the bona-fide purchaser of the lands bearing Sy.No.96/5 and 110/3 (Item No.14 and 18) under the registered sale deed dated 13.05.1970?

7. Whether the defendants No.33, 43, 47 and 53 prove that they are the bona-fide purchasers of the properties mentioned in paragraph No.16, 17 and 4 of their respective written statements?
8. Whether the suit is bad for Non-joinder of necessary parties?
9. Whether the suit is barred by limitation?
10. Whether the suit is properly valued and the court fee paid is sufficient?
11. Whether the plaintiff are entitled for partition and separate possession of suit schedule properties and for declaration and permanent injunction in terms sought?

12. What order or decree?

(M.ANITHA)

Dated:07.09.2017

**Prl., Senior Civil Judge & CJM,
Ramanagara.**